

Mason, Steve

From: Higgins, John
Sent: Wednesday, June 19, 2013 9:07 AM
To: Weeks, Victor; Mason, Steve
Cc: DeMatteo, David
Subject: RE: State of Texas Considering Database of Hazardous Chemical Facilities

Thanks Victor.

Steve, fyi, myself and Victor have participated on 2 recent calls on EPlan. I believe that we are the only EPA folks on the calls. It seems to me that the issue of tier 2 data electronic storage is vastly misunderstood and a number of folks looking for a solution don't realize that EPlan exists as indicated by the last sentence below.

Also fyi, there seems to be a reluctance in the eplan community to inform congress of the need and importance of eplan. Victor, David DeMatteo of NYS, and myself have stressed the importance to the group of states contacting Congress regarding the issue and the connection to the West, Texas incident but I feel that our message has not resonated.

Just think r6 should be in the loop because of the incident location and r6's history with EPlan.

Hope all is well with you and yours, John

-----Original Message-----

From: Weeks, Victor
Sent: Wednesday, June 19, 2013 9:37 AM
To: Tran, Bao; 'ann.adams@dshs.state.tx.us'; Beattie, Jeff; 'Bill Brown'; blovelace2@mt.gov; Bohon, James@EPA; daniela.bowman@state.nm.us; Brian Maske (bmaske@mema.ms.gov); Burling, Dennis (Dennis.Burling@nebraska.gov); christopher.herrick; cindy.dewulf@epa.state.oh.us; 'Clark, Cathy (DPS)'; 'dawn.miller@wisconsin.gov'; DeMatteo, David; elaine.wathen@ncdps.gov; 'Elonda.Bacon@dnr.iowa.gov'; gene.dunegan@dps.la.gov; Henry, Hoyt; ieuwusi@dhs.in.gov; 'jdick@bhs.idaho.gov'; Jerry Campbell (Jerry.Campbell@dnr.state.ga.us); Kaiser, Heinz (kaiserh@dhec.sc.gov); kenny.harmon@adem.arkansas.gov; Kevin.Sledge@illinois.gov; kfc@adem.state.al.us; Lambert, Sandra; leepd@dhec.sc.gov; Leonida, Sharon L (sharon.leonida@doh.hawaii.gov); McGee, Robert, DHSEM; 'melissa.d.buckley@wv.gov'; 'Michael.DiGiore@dep.state.nj.us'; 'moestrei@kdheks.gov'; mzucker@utah.gov; 'Paine, John@EPA'; Parker, Susan (DEQ) (PARKERS5@michigan.gov); Powers, Suzanne; rdeboer@nd.gov; 'Robert.S.Gardner@maine.gov'; statoncd@dhec.sc.gov; sue.otjen@state.or.us; Thirunagari, Sanjay (DEQ) (Sanjay.Thirunagari@deq.virginia.gov); 'thodge@tnema.org'; Tomlyanovich, Steve (DPS) (steve.tomlyanovich@state.mn.us); trish.kindt@state.sd.us; Whitener, Sadie (ECY) (swhi461@ECY.WA.GOV); Wotherspoon, Paul (Paul.Wotherspoon@em.myflorida.com); Daniska, Mike; Reid, Mike; Trovato, Dawn; Phillip.Mongeau@dps.texas.gov; Joshua.Roberts@dps.texas.gov; Bergman, Tom (Tom.Bergman@deq.ok.gov); Higgins, John
Cc: Ron.Bose@utdallas.edu; eplan@utdallas.edu
Subject: State of Texas Considering Database of Hazardous Chemical Facilities

The State of Texas is looking at the need for a webbased tool for hazardous chemical facilities. Texas wants a system "that is visual, quick" so that citizens can identify facilities in their neighborhood.

Sincerely,

Victor L. Weeks

U.S. EPA Region 4



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After West explosion, Texas may compile public database of hazardous chemical sites

Tony Gutierrez/AP Fifteen people, including 12 volunteer firefighters and other first responders, died when about 60,000 pounds of ammonium nitrate exploded at the plant on the outskirts of West. By JAMES DREW JAMES DREW The Dallas Morning News Staff Writer jdrew@dallasnews.com
Published: 17 June 2013 10:49 PM

Updated: 18 June 2013 07:46 AM

RelatedSome say West blast 'rushed' nursing home patients' deaths

AUSTIN — The state plans to compile a registry of businesses with dangerous chemicals so citizens can learn about hazards like the fertilizer plant in West, where a fire triggered a massive blast of ammonium nitrate.

The online database is among a handful of proposals, aired at a hearing Monday, that legislators said would not involve new laws or regulations, or increases in state spending.

"Wouldn't you want to know if there's a chemical facility in your neighborhood with hazardous material, ammonium nitrate, or other types of chemicals? And the answer is yes," Steve McCraw, director of the Texas Department of Public Safety, told the House Homeland Security and Public Safety Committee.

The registry would be on the state fire marshal's website, but state officials have not decided which chemicals would be included. Media outlets, including The Dallas Morning News, have published databases of facilities with ammonium nitrate and related chemicals based on information filed with the state health department.

Rep. Joe Pickett, the El Paso Democrat who is the committee's chairman, said he expects residents will use the state website to pose questions about safety to their county judge, city council or fire chief.

"We're looking for something that is visual, quick, so that they can find it by maybe entering a ZIP code," he said.

Monday's hearing was the second that the committee has held in response to the April 17 explosion at West Fertilizer Co. Fifteen people, including 12 volunteer firefighters and other first responders, died when about 60,000 pounds of ammonium nitrate exploded at the plant on the outskirts of West. The blast injured more than 200 people and destroyed nearby apartments, houses and a nursing home.

Best practices

State Fire Marshal Chris Connealy told lawmakers that his office would collect information on best practices to properly handle and store ammonium nitrate, and then give that information to companies similar to West Fertilizer that aren't covered by a fire code. The potentially volatile chemical was stored at West in wooden bins in a building that lacked fire sprinklers. McLennan County doesn't have a fire code.

Pickett also suggested that the state ask the companies that are in counties without fire codes if they want to be inspected, and if they would put up signs saying they handle dangerous chemicals.

But Rep. Dan Flynn, R-Van, questioned how many tasks the committee should give state agencies in the aftermath of the West explosion.

“You can paperwork a company to death. List after list and signs, and all this kind of stuff. I think we need to kind of keep it in perspective. It was a major problem and it was an accident, and it was a disaster,” he said.

Flynn said rural residents have told him they’re worried the state will put additional regulations on chemical fertilizers or even try to ban them.

“I want to be sure as we go forward — recognizing these are dangerous and we’ve had some problems — but it’s also very important to the agricultural industry, and I don’t want us to forget that,” he said.

“And the petrochemical community is important to our economy,” said McCraw, the DPS director.

A federal law requires businesses to report their inventory of certain toxic and hazardous chemicals to state and local officials.

Rep. Ron Simmons, R-Carrollton, asked if firms also are required to disclose when dangerous chemicals are being transported.

“We do not have real-time access to that information,” replied McCraw, who said the state is working with railroads to try to get it. “It puts first responders in the situation of picking up the phone and calling after the accident.”

The committee approved a motion to send a letter asking the Federal Emergency Management Agency to reconsider its decision to deny major disaster aid for West.

FEMA officials last week said the request was denied because Texas couldn’t justify why the state cannot afford \$17 million toward emergency response and cleanup.

More meetings

Pickett said he expects to call more committee meetings this year and in 2014 to take testimony from state agencies. Speaking to reporters after Monday’s hearing, he said he’s not concerned that any potential new laws or regulations will have to wait for the next legislative session in 18 months.

“I’m a big believer in doing things right. We could have done some things this last session, and we may have sent people off on the wrong trail, and then it’s harder to fix,” Pickett said.